IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

ROBERT BEJARANO MARTINEZ §

VS. § CIVIL ACTION NO. 1:08ev314

FEDERAL BUREAU OF PRISONS, ET AL. §

MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Robert Bejarano Martinez, formerly an inmate at the Federal Correctional Complex in Beaumont, Texas, brought the above-styled lawsuit.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends that the defendants' motion to dismiss plaintiff's claims against T.C. Outlaw and Ricardo Rios in their individual capacities be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. Accordingly, it is

ORDERED that plaintiff's claims against defendants T.C. Outlaw and Ricardo Rios in their individual capacities are **DISMISSED**.

So ORDERED and SIGNED this 8 day of March, 2011.

Ron Clark, United States District Judge

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